

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

DAVID ANDRADE, Individually and on  
behalf of Others Similarly Situated  
Plaintiff,

VS.

SYSTEM CONTROLS AND  
INSTRUMENTATION, LTD.,  
GARY STODDARD, LINDA STODDARD,  
and BOB KID,  
Defendants.

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**CIVIL ACTION NO.**

11-CV-00620-HLH

**DEFENDANTS' EMERGENCY MOTION FOR LEAVE TO WITHDRAW DKT #35**

Pursuant to Local Rule CV-7, SYSTEM CONTROLS AND INSTRUMENTATION, LTD. ("SCI"), GARY STODDARD, LINDA STODDARD, and BOB KID, Defendants in the above-captioned case, file this their Emergency Motion for Leave to Withdraw Dkt #35 and state as follows:

Defendants move for leave to withdraw Dkt #35 because an attachment to that document was inadvertently filed without appropriate redaction. Defendants are filing a corrected, redacted version concurrently with this motion. Defendants have notified the Clerk's Office and are filing this motion on an expedited basis within one hour of filing Dkt #35 to prevent any improper disclosure.

WHEREFORE, PREMISES CONSIDERED Defendants move for leave to withdraw Dkt #35. A corrected version of that document with redacted attachment is being filed concurrently.

Dated January 17, 2012.

Respectfully submitted,

**GARDNER LAW**  
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By: /s/ William W. Sommers  
William W. Sommers  
State Bar No. 18842600  
Elizabeth H. Connally\*  
State Bar No. 24073635

\*- admitted *pro hac vice*

***ATTORNEYS FOR DEFENDANTS***

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing and all attachments and exhibits was served in accordance with the Federal Rules of Civil Procedure, on this 17th day of January 2012, to the following listed counsel of record:

Glenn D. Levy  
Larry E. Gee  
906 W. Basse Road, Suite 100  
San Antonio, Texas 78212  
Tel. (210) 822-5666  
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*VIA CM/ECF*

***ATTORNEYS FOR PLAINTIFF***

/s/ William W. Sommers  
William W. Sommers

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**CIVIL ACTION NO.**

11-CV-00620-HLH

**ORDER ON DEFENDANTS' EMERGENCY MOTION FOR LEAVE TO WITHDRAW**  
**DKT #35**

On this date came on to be considered the Emergency Motion for Leave to Withdraw Dkt #35 of Defendants SYSTEM CONTROLS AND INSTRUMENTATION, LTD., GARY STODDARD, LINDA STODDARD, and BOB KID. The Court, after considering the motion, finds good cause to withdraw Dkt #35, and finds that said motion should be and is hereby GRANTED.

Signed and Entered this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
**HARRY LEE HUDSPETH**  
Senior United States District Judge